



### Comments

#### Claim Rejections based on 35 USC § 112

The Examiner rejected claims 59-66 based on 35 USC § 112, first paragraph, as failing to comply with the written description requirement.

Claims 59-66 are cancelled, and new claims 67-85 now contain sample volume limitations supported by the specification as originally filed.

The Examiner rejected claims 59-62 under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 59-62 has been cancelled and as such the rejection to claim 59 is now moot. However, the Examiner's suggestion regarding using "sample volume" instead of "sample" has been incorporated into new claims 67 and 75.

#### Claims Rejection based on 35 USC § 102(b)

The Examiner rejected claims 59-66 based on 35 USC § 102(b) as being clearly anticipated by Pugh. Claims 59-66 have been rejected and as such the rejections are now moot.

#### Declaration

A declaration, why Pugh's disclosed device will not work with small sample volumes as currently claimed, is submitted with this filing by the applicant.

Very respectfully,

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**Certificate of Mailing:** I certify that on the date below this document and referenced attachments, if any, will be deposited with the U. S. Postal Service as first class mail in an envelop addressed to:



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October 18, 2006

**Tom C. Xu, Applicant**